

Application Serial No. 10/508,885
Reply to Office Action of December 12, 2008

PATENT
Docket: CU-3914

REMARKS

In the Office Action, dated December 12, 2008, the Examiner states that Claims 1-13, 15 and 16 are pending, Claims 1-4 are withdrawn and Claims 5-13, 15 and 16 are rejected. By the present Amendment, Applicant amends the claims.

Rejection under 35 U.S.C. §112, first paragraph

Claim 16 is rejected under 35 U.S.C. §112, first paragraph, because the Office Action considers that it includes subject matter, which was not described sufficiently in the specification as filed. Solely in the interest of advancing prosecution and without prejudice or disclaimer of the subject matter thereof, Applicant has cancelled Claim 16 rendering rejection of this claim moot. Accordingly, Applicant respectfully requests withdrawal of the rejection of Claim 16 under 35 U.S.C. §112, first paragraph.

Moreover, Applicant indicates that features from Claim 16 have been added to currently amended Claim 5 and that Claim 5 should not be rejected under 35 U.S.C. §112, first paragraph.

Specifically, there is a description of "The width of the non-spread portion is generally less than 10 mm" on lines 11 to 12 in page 17 of the specification as originally filed and there is also a description of "the length of the hard edge part in the direction of the width of the plaster board is commonly equal to or less than approximately 15.0 mm" on lines 9 to 11 in page 26 of the specification as originally filed.

Generally, "a width of the non-spread portion" before "folding the front surface covering base paper" in step (g) of currently amended Claim 5 does not necessarily correspond to "a length of the hard edge part in directions of a width thereof on a cross section thereof in directions of a width of a hardened plaster board after" "folding the front surface covering base paper" in step (g) of currently amended Claim 5. Accordingly, "a length of the hard edge part in directions of a width thereof on a cross section thereof in directions of a width of a hardened plaster board" may be larger than "a width of the non-spread portion" in the present invention according to currently amended Claim 5.

Therefore, Applicant respectfully asserts that a person skilled in the relevant art would be able to understand that while "The width of the non-spread portion is generally less than 10 mm", "the length of the hard edge part in the direction of the

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width of the plaster board is commonly equal to or less than approximately 15.0 mm", from the above-mentioned descriptions on lines 11 to 12 in page 17 and lines 9 to 11 in page 26 of the specification s originally filed.

In other words, Applicant respectfully asserts that the specification, as originally filed, reasonably discloses that while "The width of the non-spread portion is generally less than 10 mm", "the length of the hard edge part in the direction of the width of the plaster board is commonly equal to or less than approximately 15.0 mm," such that one of ordinary skill in the art would clearly understand that Applicant had possession of the claimed invention as of the filing date.

Therefore, the combination of the configurations of "a width of the non-spread portion is less than 10 mm" and "a length of the hard edge part in directions of a width thereof on a cross section thereof in directions of a width of a hardened plaster board after drying in step (g) is about 0.1mm to about 15.0 mm" as recited in currently amended Claim 5 are supported by the disclosure of the specification as originally filed and should not be regarded as new matter.

Rejections under 35 U.S.C. §103(a)

Claims 5-13, 15 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Japan 808 (JP 08-112808) (D1) in view of Sucech et al. (US 5,683,635) (D2), Hauber et al. (US 6,878,321) (D3), Birdsey (US 1,514,827) (D4) and Ferguson (US 5,799,458) (D5) for the reasons of record. Applicant respectfully disagrees with and traverses this rejection.

To support a *prima facie* case of obviousness, the Office Action must establish "a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference." Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in view of *KSR International Co. v. Teleflex Inc.*, 72 Fed. Reg. 57,526 (Oct. 10, 2007).

Applicant respectfully asserts that a *prima facie* case has not been established. Specifically, at least the feature of "the slurry for application for the non-spread portions in step (c) conducted prior to step (g) is applied to outsides of scoring lines of the front surface covering base paper which define a width of the plaster board" as recited in currently amended Claim 5 is not taught or suggested in

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any of D1 through D5. None of the cited prior art contains a description or indication for the location of non-spread portions with respect to scoring lines of a front surface covering base paper or a width of a plaster board.

Also, a feature of "a length of the hard edge part in directions of a width thereof on a cross section thereof in directions of a width of a hardened plaster board after drying in step (g) is about 0.1 mm to about 15.0 mm and a shape thereof is a triangular shape, a crescentic shape, an L-shape, or a J-shape" as recited in currently amended Claim 5 is not taught or suggested in any of D1 - D5. There is no description or indication for a length and shape of a hard edge part in directions of a width thereof on a cross section thereof in direction of a width of a hardened plaster board in any of these references and a length of a hard edge part in direction of a width thereof on a cross section thereof in direction of a width of a hardened plaster board generally does not correspond to a width of a non-spread portion as may be commented on in D1.

Since the prior art does not teach or suggest each and every feature of independent Claim 5, Applicant asserts that all claims depending therefrom are allowable for at least the same reasons, as well as for the features that they recite. As such, Applicant respectfully requests withdrawal of the present rejection under 35 U.S.C. §103(a).

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date


Attorney for Applicant
Eric D. Babych
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 57,542